

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Atty. Docket: CN 020016

ZIAOLING SHAO ET AL.

Group Art Unit: 2157

Serial No.: 10/536,919

Examiner: MICHAEL C. LAI

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CONF. NO.: 6591

TITLE: WIRELESS NETWORK SYSTEM FOR EFFICIENTLY DELIVERING
MULTIMEDIA MESSAGES

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

Appellants herewith respectfully present its Brief on Appeal
as follows:

REAL PARTY IN INTEREST

The real party in interest is Koninklijke Philips Electronics N.V., a corporation of The Netherlands having an office and a place of business at Groenewoudseweg 1, Eindhoven, Netherlands 5621 BA.

RELATED APPEALS AND INTERFERENCES

To the best of Appellants' knowledge and belief, there are no related appeals or interferences.

STATUS OF CLAIMS

Claims 1-24 are pending in this application. Claims 1-24 are rejected in the Final Office Action that issued April 29, 2008. This rejection was upheld, in an Advisory Action that mailed on July 29, 2008. Claims 1-24 are the subject of this appeal.

STATUS OF AMENDMENTS

An Amendment After Final Action was submitted on June 29, 2008 in response to a Final Office Action mailed on April 29, 2008. The Amendment After Final Action did not include any amendments. In an Advisory Action mailed on July 29, 2008, it is indicated that the after Amendment After Final Action will be entered but that it does not place the application in condition for allowance. This Appeal Brief is in response to the Final Office Action mailed April 29, 2008, that finally rejected claims 1-24, which remain finally rejected in the Advisory Action mailed on July 29, 2008.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention, for example as claimed in claim 1, relates to wireless network system (see, FIG. 4, network system 60) that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent A to a second MMS user agent C (see, present application, page 6, lines 5-7), the system includes a means for receiving (see, present application, MMS relay/server 20'), from the first MMS user agent (e.g., present application, MMS user agent A, and, page 6, lines 19-22), a request to send a multimedia message to the second MMS user agent C (e.g., see, present application, act 102). The request includes an identification (ID) number of the second MMS user agent (see, FIG. 5, act 106 and page 6, lines 22-27, wherein the Recipient MSISDN (Mobile Station International ISDN Number) address is sent). The system includes a means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent. (E.g., The recipient's IP address is resolved through use of a user database or an internal table in the core

network, such as in the GGSN (Gateway GPRS Support Node) or the HLR). The IP address is resolved by using its unique MSISDN, see, page 7, lines 1-9). The system further includes a means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address. For example, the IP address is returned to the MMS relay/server (e.g., see, act 122 and page 7, lines 8-9), which forwards the IP address to the MMS user agent A (e.g., see, act 126). As made clear, after receiving the IP address, the MMS user agent A may directly deliver the message contents to the MMS user agent C by using the known IP technology and the direct connect there between shown in FIG. 4.

The present invention, for example as claimed in claim 7, relates to a wireless network system (see, FIG. 6, network system 150) for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent A located in a first multimedia messaging service environment (MMSE A) (e.g., see FIG. 7) to a second MMS user agent B located in a second MMSE B (e.g., see page 8, lines 6-9). The system includes a

first MMS server 20' located in the first MMSE and a second MMS server 40' located in the second MMSE. The first MMS server 20' includes a means for receiving (e.g., see, relay/server of the first MMS server 20'), from the first MMS user agent A, a request to send a multimedia message to the second MMS user agent B (see, FIG. 7, act 202 and page 8, lines 19-25 and page 6, lines 19-22, wherein the Recipient MSISDN (Mobile Station International ISDN Number) address is sent). The request includes an identification (ID) number of the second MMS user agent B (see, FIG. 7, act 206, wherein the Recipient MSISDN (Mobile Station International ISDN Number) address is sent). The system includes a means for forwarding the request to the second MMS server (see, MMS relay server 20'). The second MMS server includes means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent (E.g., The recipient's IP address is resolved through use of a user database or an internal table in the core network, such as in the GGSN (Gateway GPRS Support Node) or the HLR). The IP address is resolved by using its unique MSISDN, see, page 7, lines 1-9). A means for

forwarding the obtained Internet address of the second MMS user agent to the first MMS server (see, MMS relay server 40'). The first MMS server forwards the obtained Internet address received from the second MMS server to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address. For example, the IP address is returned to the MMS relay/server (e.g., see, act 222), which forwards the IP address to the MMS user agent A (e.g., see, act 126). As made clear, after receiving the IP address, the MMS user agent A may directly deliver the message contents to the MMS user agent B by using the known IP technology and the direct connect there between shown in FIG. 6.

The present invention, for example as claimed in claim 13, relates to a method for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent A to a second MMS user agent C. The first MMS user agent A receives a request to send a multimedia message to the second MMS user agent C (e.g., see, present application, act 102), the request including an identification (ID) number of the second

MMS user agent C (see, FIG. 5, act 106 and page 6, lines 22-27, wherein the Recipient MSISDN (Mobile Station International ISDN Number) address is sent). An Internet address of the second MMS user agent C is obtained based on the ID number of the second MMS user agent C, if the ID number is not an Internet address of the second MMS user agent C (E.g., The recipient's IP address is resolved through use of a user database or an internal table in the core network, such as in the GGSN (Gateway GPRS Support Node) or the HLR). The IP address is resolved by using its unique MSISDN, see, page 7, lines 1-9). The obtained Internet address is forwarded to the first MMS user agent A to enable the first MMS user agent A to wirelessly deliver the multimedia message directly to the second MMS user agent C using the obtained Internet address. For example, the IP address is returned to the MMS relay/server (e.g., see, act 122 and page 7, 8-9), which forwards the IP address to the MMS user agent A (e.g., see, act 126). As made clear, after receiving the IP address, the MMS user agent A may directly deliver the message contents to the MMS user agent C by using the known IP technology and the direct connect there between shown in FIG. 4.

The present invention, for example as claimed in claim 19, relates to a method for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent A located in a first multimedia messaging service environment (MMSE A) (e.g., see FIG. 7) to a second MMS user agent B located in a second MMSE B (e.g., see page 8, lines 6-9). A first MMS server 20' located in the first MMSE A, receives from the first MMS user agent A, a request to send a multimedia message to the second MMS user agent (see, FIG. 7, act 206 and page 8, lines 19-25 and page 6, lines 22-27, wherein the Recipient MSISDN (Mobile Station International ISDN Number) address is sent). The request including an identification (ID) number of the second MMS user agent B (see, FIG. 7, act 206 and page 8, lines 19-25 and page 6, lines 22-27, wherein the Recipient MSISDN (Mobile Station International ISDN Number) address is sent. The request is forwarded to a second MMS server located in the second MMSE (see, act 204). The second MMS server obtains an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent (see, act 112). The second MMS server forwards the

obtained Internet address of the second MMS user agent to the first MMS server (see, act 224). The first MMS server 20' forwards the obtained Internet address to the first MMS user agent A to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address. For example, the IP address is returned to the MMS relay/server (e.g., see, act 222), which forwards the IP address to the MMS user agent A (e.g., see, act 126). As made clear, after receiving the IP address, the MMS user agent A may directly deliver the message contents to the MMS user agent B by using the known IP technology and the direct connect there between shown in FIG. 6.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-24 of U.S. Patent Application Serial No. 10/536,919 are anticipated under 35 U.S.C. §102(e) by U.S. Patent No. 6,885,871 to Caloud ("Caloud").

ARGUMENT

Claims 1-24 are said to be anticipated by Caloud.

Appellants respectfully request the Board to address the patentability of independent claims 1, 7, 13 and 19, and further claims 2-6, 8-12, 14-18 and 20-24 as respectively depending from one of independent claims 1, 7, 13 and 19, based on the requirements of independent claims 1, 7, 13 and 19. This position is provided for the specific and stated purpose of simplifying the current issues on appeal. However, Appellants herein specifically reserve the right to argue and address the patentability of claims 2-6, 8-12, 14-18 and 20-24 at a later date should the separately patentable subject matter of claims 2-6, 8-12, 14-18 and 20-24 later become an issue. Accordingly, this limitation of the subject matter presented for appeal herein, specifically limited to discussions of the patentability of independent claims 1, 7, 13 and 19 is not intended as a waiver of Appellants' right to argue the patentability of the further claims and claim elements at that later time.

Caloud is a method for transferring a message from a terminal, such as a personal computer 101 (see, FIG. 1) having a public IP address (see, Col. 4, lines 37-41) through a communications gateway 128, wherein the message is redirected to a terminal, such as a cell phone 108.

In operation and as shown in FIG. 2 of Caloud, the personal computer 101 sends a request during a call connection initiation step 201 to a resolution server 119 (see, Col. 7, lines 22-25). The resolution server determines whether the cell phone 108 wishes to accept communications from the personal computer 101 during steps 204-206 (see, Col. 7, lines 26-61). In a case wherein the cell phone 108 accepts to receive communications from the personal computer 101 during step 206, thereafter during step 210, the cell phone 108 sends the communications gateway 128 a request to set up a communication means between the cell phone 108 and the communications gateway 128 and between the communications gateway 128 and the personal computer 101. It must be pointed out, this is not a direct connection between the personal computer 101 and the cell phone 108 but in fact, is a connection through an intermediary in the form of the internet gateway 128.

As made clear by Caloud, after the personal computer 101 receives communication parameters from the communications gateway 128 (see, Col. 9, lines 52-54), the personal computer 101 is then ready to send a frame to the internet gateway 128 (see, Col. 9, lines 60-62) which is thereafter forwarded to the cell phone 108 (see, Col. 9, line 66 through Col. 10, line 2). As made explicitly clear by Caloud, while the cell phone 108 does receive a frame originally sent by the personal computer 101 (see, Col. 10, lines 3-4), "[t]his frame was first received by the gateway 128 and then sent out again by the same gateway [to the cell phone 108] ..." (See, Col. 10, lines 2-9.) Similarly, "the gateway 128 sends out a frame, originally sent by the terminal 108 [cell phone], to the set 101 [personal computer]" (See, Col. 10, lines 19-20.)

It is respectfully submitted that Caloud is simply a variation on the prior systems discussed in the present patent application. In fact, FIGs. 1-3 of the present application are all illustrations of prior art systems for transferring multimedia messages between agents. For example, FIG. 2 shows a system that is similar in operation to Caloud in that a MMS relay server 20 operates similar

to the internet gateway 128 of Caloud in forwarding messages between the MMS user agent A and the MMS user agent C.

As further recognized by the Applicants, (emphasis added) "[t]he conventional ways of delivering MMs between different user agents in the same or different MMSEs, as illustrated above, suffer from serious drawbacks. A main drawback is that it wastes valuable network resources, particularly with respect to MMS relay/servers since the MMS relay/servers [like the internet gateway 128] are required to process and forward voluminous MMs exchanged among numerous MMS user agents. In other words, all the MMs sent to or pushed from a MMS user agent must go through at least one MMS relay/server. For example, the MMS relay/server will have to receive a MM from a MMS user agent and then forward the same message to another MMS user agent, even if the two MMS user agents are located in the same MMSE. Thus, at least two transactions are required, i.e., delivering a MM by a MMS user agent to a MMS relay/server and then forwarding the same MMS by a MMS relay/server to another MMS user agent. If the two MMS user agents are located in two different MMSEs, an additional transaction is required to transfer the MM from one MMS relay/server and another MMS

relay/server. This will inevitably cause significant delays in delivering the MMs. Further, it requires high performance servers with a very large storage capacity since MMs are typically very large in size. This will add considerable costs for the MMS service provider to deploy and maintain the network." The Applicants recognized that "there is a need to provide a wireless network system for efficiently delivering MMs that not only saves the valuable network resources, but also speeds up delivery of the MMs between two MMS user agents."

While Col. 3, lines 46-51 of Caloud are cited for showing a direct connection between the personal computer and the cell phone, reliance on this section of Caloud is misplaced in that Caloud makes clear that all messages between the cell phone and the personal computer are received and forwarded by the internet gateway 128. In fact, Caloud teaches away from a direct communication between the personal computer and the cell phone such that "[t]he gateway 128 is thus in a position to filter messages addressed to the terminal 108 and thus avoid undesirable messages." (See, Col. 8, lines 61-63.)

It appears undisputed that in Caloud, (emphasis added) "[t]he communications gateway 128 is used to bridge the Internet network 106, to which the personal computer 101 belongs, and the Cell network 118, to which the cell phone 108 belongs (see FIG. 1)."

However, the Final Office Action comes to the inexplicable conclusion that "[a]communication gateway won't be needed if the personal computer 101 and the cell phone 108 belong to the same network", yet the Final Office Action provides no support from within the four corners of Caloud for drawing this conclusion. A close inspection of Caloud FIGs. 1 and 2 do not disclose or even suggest any such direct connection. It is respectfully submitted that one may not utilize the teachings of the present application as a road map or suggestion to modify a reference for the purposes of attempting to arrive at the presently claimed invention.

Moreover, the MPEP section 2131 provides that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. The identical invention must be shown in as complete detail as contained in the claim. Applicants submit that the Final Office Action fails to make a prima facie

case of anticipation because Coloud does not satisfy MPEP section 2131 as an anticipatory reference.

While Col. 3, lines 46-51 of Caloud are cited for showing a direct connection between the personal computer and the cell phone, reliance on this section of Caloud is misplaced in that Caloud makes clear that all messages between the cell phone and the personal computer are received and forwarded by the internet gateway 128. In fact, Caloud teaches away from a direct communication between the personal computer and the cell phone such that "[t]he gateway 128 is thus in a position to filter messages addressed to the terminal 108 and thus avoid undesirable messages." (See, Col. 8, lines 61-63.)

In the Advisory Action, A Microsoft Computer Dictionary, Fifth Edition is cited in support of the notion that a gateway is "[a] device that connects networks using different communications protocols so that information can be passed from one to the other. A gateway both transfers information and converts it to a form compatible with the protocols used by the receiving network." It seems that this definition is provided to support the notion that the gateway of Caloud would not be needed if the personal computer

101 and the cell phone 108 belong to the same network", but in fact Caloud does not disclose or suggest such a configuration wherein a gateway is not utilized. In fact, Caloud teaches away from such a configuration as discussed further herein. It is respectfully submitted that allegory of what might be utilized by Caloud in the configuration suggested by the Final Office Action, merely makes use of the teachings of the present application as a means of a suggestion for the modification of Caloud, a practice which would have an effect of utilizing that which is taught by the present application, as a source of the suggestion on how Caloud may be modified. As should be clear from the discussion above, clearly Caloud does not disclose or suggest such a modification.

While the Advisory Action alleges that Caloud teaches every element of the claims, as should be clear from the discussion above, without adding modifications as suggested only by the present application, Caloud is deficient in showing elements of the claims.

Accordingly, it is respectfully submitted that the system of claim 1 is not anticipated or made obvious by the teachings of Caloud. For example, Caloud does not disclose or suggest, a system

that amongst other patentable elements, comprises (illustrative emphasis provided) "wireless network system that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent, the system comprising: means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent; means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent; and means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address" as required by claim 1, and as substantially required by each of claims 7, 13 and 19. In fact Caloud teaches terminal 101 communicating to terminal 108 via the internet gateway 128, which is hardly a direct connection.

Regarding the portions of the preamble emphasized above and the remarks in the Final Office Action regarding the patentability

of preamble terms (see, Final Office Action, bottom of page 3 continuing to page 4), it is respectfully submitted that a "claim preamble has the import that the claim as a whole suggests for it." *Bell Communications Research, Inc. v. Vitalink Communications Corp.*, 5 F.3d 615, 620, 34 USPQ 2d 1816, 1820 (Fed. Cir. 1995). "Where a patentee uses the claim preamble to recite structural limitations of his or her claimed invention, the Patent Office and courts give effect to that usage." *Corning Glass Works v. Sumitomo Elec. USA, Inc.*, 868 F.2d at 1257, 9 USPQ 2d at 1966.

In this instant, the preamble of claim 1 recites "wireless network system that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent" wherein the claim further recites "means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address." Accordingly, the preamble provides structure that is supported by the "means for forwarding ..."

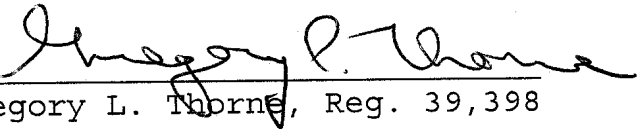
Based on the foregoing, the Appellants respectfully submit that independent Claims 1, 7, 13 and 19 are patentable over Caloud and notice to this effect is earnestly solicited. Claims 2-6, 8-12, 14-18 and 20-24 respectively depend from one of claims 1, 7, 13 and 19 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Appellants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Appellants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

CONCLUSION

Claims 1-24 are patentable over any of Caloud. Thus the
Examiner's rejection of claims 1-24 should be reversed.

Respectfully submitted,

By 
Gregory L. Thorne, Reg. 39,398
Attorney for Appellants
September 29, 2008

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

APPENDIX A

CLAIMS ON APPEAL

1. (Original) A wireless network system that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent, the system comprising: means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent; means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent; and means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address.

2. (Original) The system of claim 1, wherein the obtaining means includes: means for sending the ID number to a core network; and

means for obtaining the Internet address of the second MMS user agent from the core network.

3. (Original) The system of claim 1, wherein the identification number is a mobile station international ISDN number (MSISDN).

4. (Original) The system of claim 3, wherein the obtaining means includes: means for sending the MSISDN to a core network, means for obtaining an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network, means for sending the obtained IMSI address to the core network, and means for obtaining the Internet address corresponding to the IMSI from the core network.

5. (Original) The system of claim 4, wherein: the MSISDN is sent to a home location register (HLR) in the core network; the IMSI address is obtained from the HLR; the obtained IMSI is sent to a user database in the core network; and the Internet address is obtained from the user database.

6. (Original) The system of claim 1, the wireless network system is implemented in an Internet Protocol (IP) based network.

7. (Original) A wireless network system for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent located in a first multimedia messaging service environment (MMSE) to a second MMS user agent located in a second MMSE, the system comprising: a first MMS server located in the first MMSE; and a second MMS server located in the second MMSE; wherein the first MMS server includes: means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent, and means for forwarding the request to the second MMS server; wherein the second MMS server includes: means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent; means for forwarding the obtained Internet address of the second MMS user agent to the first MMS server; wherein the first MMS server forwards the

obtained Internet address received from the second MMS server to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address.

8. (Original) The system of claim 7, wherein the obtaining means of the second MMS server includes: means for sending the ID number to a core network of a wireless network system, and means for obtaining the Internet address of the second MMS user agent from the core network.

9. (Original) The system of claim 7, wherein the identification number is a mobile station international ISDN number (MSISDN).

10. (Original) The system of claim 9, wherein the obtaining means includes: means for sending the MSISDN to a core network of a wireless network system, means for receiving an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network, means for sending the received IMSI

address to the core network, and means for receiving the Internet address corresponding to the IMSI from the core network.

11. (Original) The system of claim 10, wherein: the MSISDN is sent to a home location register (HLR) in the core network; the IMSI address is received from the HLR; the IMSI is sent to a user database in the core network; and the Internet address is received from the user database.

12. (Original) The system of claim 7, the wireless network system is implemented in an Internet Protocol (IP) based network.

13. (Original) A method for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent, the method comprising the steps of: (a) receiving from the first MMS user agent a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent; (b) obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the

ID number is not an Internet address of the second MMS user agent;
and (c) forwarding the obtained Internet address to the first MMS
user agent to enable the first MMS user agent to wirelessly deliver
the multimedia message directly to the second MMS user agent using
the obtained Internet address.

14. (Original) The method of claim 13, wherein step (b) includes:
sending the ID number to a core network of a wireless network
system; and obtaining the Internet address of the second MMS user
agent from the core network.

15. (Original) The method of claim 13, wherein the identification
number is a mobile station international ISDN number (MSISDN).

16. (Original) The method of claim 15, wherein step (b) includes:
(i) sending the MSISDN to a core network of a wireless network
system, (ii) obtaining an international mobile subscriber identity
(IMSI) address corresponding to the MSISDN from the core network,
(iii) sending the obtained IMSI address to the core network, and

(iv) obtaining the Internet address corresponding to the IMSI from the core network.

17. (Original) The method of claim 16, wherein: at step (i) the MSISDN is sent to a home location register (HLR) in the core network; at step (ii) the IMSI address is obtained from the HLR; at step (iii) the IMSI is sent to a user database in the core network; and at step (iv) the Internet address is obtained from the user database.

18. (Original) The method of claim 13, wherein the method is implemented in an Internet Protocol (IP) based network.

19. (Original) A method for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent located in a first multimedia messaging service environment (MMSE) to a second MMS user agent located in a second MMSE, the method comprising the steps of: (a) receiving, by a first MMS server located in the first MMSE, from the first MMS user agent a request to send a multimedia message to the second MMS user

agent, the request including an identification (ID) number of the second MMS user agent; (b) forwarding the request to a second MMS server located in the second MMSE; (c) obtaining, by the second MMS server, an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent; (d) forwarding, by the second MMS server, the obtained Internet address of the second MMS user agent to the first MMS server; and (e) forwarding, by the first MMS server, the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address.

20. (Original) The method of claim 19, wherein step (c) includes: sending the ID number to a core network of a wireless network system; and obtaining the Internet address of the second MMS user agent from the core network.

21. (Original) The method of claim 19, wherein the identification number is a mobile station international ISDN number (MSISDN).

22. (Original) The method of claim 21, wherein step (c) includes:
(i) sending the MSISDN to a core network of a wireless network system, (ii) receiving an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network, (iii) sending the received IMSI address to the core network, and (iv) receiving the Internet address corresponding to the IMSI from the core network.

23. (Original) The method of claim 22, wherein: at step (i) the MSISDN is sent to a home location register (HLR) in the core network; at step (ii) the IMSI address is received from the HLR; at step (iii) the IMSI is sent to a user database in the core network; and at step (iv) the Internet address is received from the user database.

24. (Original) The method of claim 19, wherein the method is implemented in an Internet Protocol (IP) based network.

Patent
Serial No. 10/536,919
Amendment in Reply to Final Office Action of April 29, 2008
and Advisory Action of July 29, 2008

APPENDIX B

Evidence on Appeal

None

Patent
Serial No. 10/536,919
Amendment in Reply to Final Office Action of April 29, 2008
and Advisory Action of July 29, 2008

APPENDIX C

Related Proceedings of Appeal

None